

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

To: <div style="text-align: center; margin-top: 20px;">see form PCT/ISA/220</div>		<div style="text-align: center; margin-top: 20px;">Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)</div>
Applicant's or agent's file reference see form PCT/ISA/220		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/US2007/017121	International filing date (day/month/year) 31.07.2007	Priority date (day/month/year) 01.08.2006
International Patent Classification (IPC) or both national classification and IPC INV. G07F17/32		
Applicant IGT		

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☒ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA: <div style="display: flex; align-items: center;"> <div> European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016 </div> </div>	Date of completion of this opinion See form PCT/ISA/210	Authorized Officer Goya, Jesus Telephone No. +31 70 340-2370
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------	----------------------------------------------------------------------------



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2007/017121

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ on paper
 - ☐ in electronic form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in electronic form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

Box No. II Priority

1. ☒ The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43bis.1 and 64.1) is the claimed priority date.
2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2007/017121

Box No. IV Lack of unity of invention

1. ☒ In response to the invitation (Form PCT/ISA/206) to pay additional fees, the applicant has, within the applicable time limit:
- ☐ paid additional fees
 - ☐ paid additional fees under protest and, where applicable, the protest fee
 - ☐ paid additional fees under protest but the applicable protest fee was not paid
 - ☒ not paid additional fees
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is
- ☐ complied with
 - ☒ not complied with for the following reasons:
see separate sheet
4. Consequently, this report has been established in respect of the following parts of the international application:
- ☐ all parts.
 - ☒ the parts relating to claims Nos. 1-35,37-46

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	<u>2,5-11,13-15,17-29,34-35,38,40-43,45</u>
	No: Claims	<u>1,3-4,12,16,30-33,37,39,44,46</u>
Inventive step (IS)	Yes: Claims	
	No: Claims	<u>1-35,37-46</u>
Industrial applicability (IA)	Yes: Claims	<u>1-35,37-46</u>
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

Lack of unity of invention

The following documents are referred to in this communication; the numbering will be adhered to in the rest of the procedure:

- D1: US 2005/137016 A1 (ENZMINGER JOSEPH R [US] ET AL) 23 June 2005
- D2: GB-A-2 392 276 (HEWLETT PACKARD DEVELOPMENT CO [US]) 25 February 2004
- D3: US 2006/019749 A1 (MERATI BRUCE [US] ET AL) 26 January 2006

The Search Division found multiple inventions in the present application:

- **claims 1-35, 37-46:** Method, network, computer program and server for combining information related to an player and obtained from at least a couple of different terminal devices, so that the player account is valid independently of the terminal used to access the game. Also, tracking software is installed on the client devices to collect information about the player..
- **claim 36:** Share gaming device that executes and manages a plurality of gaming processes.

Document D1 discloses (the references in parenthesis refer to D1) a gaming method, comprising: obtaining first gaming information regarding a first player's Internet wagering games on a first device; obtaining second gaming information regarding the first player's wagering games on a second device; combining at least some components of the first gaming information and the second gaming information; and crediting a player tracking account of the first player based on combination of at least some components of the first gaming information and the second gaming information (paragraphs [0008], [0034], [0038]; figures 1, 2 and 5).

With reference to the prior art document (D1), the special technical features of the different inventions according to the above two groups of claims can be defined as follows:

claims 1-35, 37-46: The special technical feature with respect to D1 is that a tracking

software is installed in the first device to obtain the first gaming information. This solves the objective problem of how to collect gaming information about the player's behaviour in a way that does not require involvement of a central entity such as a server.

claim 36: The special technical feature with respect to D1 is a shared gaming device with ability to execute and manage a plurality of gaming process. This solves the objective problem of how to make a more efficient use of a gaming device in terms of costs, space, energy, when providing to users a plurality of games.

However, these special technical features are not the same and are not corresponding because the features have different effects and solve different problems.

Therefore, the Search Division considers that the application claims two inventions not so linked as to form a single inventive concept nor having same or corresponding special technical features. And consequently, the application does not meet the requirements of unity of invention as defined in Rule 13(1) and (2) PCT.

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1 INDEPENDENT CLAIM 1

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

Document D1 discloses (the references in parentheses applying to this document) a gaming method, comprising: obtaining first gaming information regarding a first player's Internet wagering games on a first device; obtaining second gaming information regarding the first player's wagering games on a second device; combining at least some components of the first gaming information and the second gaming information; and crediting a player tracking account of the first player based on combination of at least some components of the first gaming information and the

second gaming information (paragraphs [0008], [0034], [0038]; figures 1, 2 and 5).

Consequently, the subject-matter of this claim is not new in the sense of Article 33(2) PCT.

2 INDEPENDENT CLAIM 12

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 12 is not new in the sense of Article 33(2) PCT.

Document D1 discloses (the references in parentheses applying to this document) a gaming method, comprising: obtaining first gaming information regarding a first player's Internet wagering games from a first software agent executing on a first host device; obtaining second gaming information regarding the first player's wagering games from a second software agent executing on a second host device; crediting a player tracking account of the first player based on the first gaming information and the second gaming information (paragraphs [0008], [0034], [0038]; figures 1, 2 and 5. The examiner interprets the "software agent" as a piece of software that performs the collection and transmission of gaming information to a server. In D1 gaming information is transmitted through software operations to a central database to update the user's account).

Consequently, the subject-matter of this claim is not new in the sense of Article 33(2) PCT.

The applicant is noted that the use of software agents for the collections and transmission of gaming information is also known from document D2 (page 4, line 17 - page 5, line 10; page 8, last paragraph; claims 8-10).

Furthermore, for the sake of completeness, the applicant is also noted that the subject-matter of claim 12 does not involve an inventive step over the disclosure of D2 (page 4, line 17 - page 5, line 10; page 8, last paragraph; claims 8-10) or document D3 (paragraphs [0020], [0024]; claims 1-6).

3 INDEPENDENT CLAIMS 30, 31, 32, 33, 37, 42 AND 46

These claims are a representation of claims 1 and 12 in terms of network, computer program and server. Therefore, the subject-matter of these claims is also not novel or does not involve an inventive step in the sense of Articles 33(2) and Article 33(3) PCT respectively.

2 DEPENDENT CLAIMS 2-11, 13-29, 34-35, 38-41, 43-45

The dependent claims do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty or inventive step (Articles 33(2) and 33(3) PCT).

- **Claims 3-4, 16, 39, 44:** The additional features of these claims are disclosed in the prior art document D1 (paragraphs [0008], [0034], [0038]; figures 1, 2 and 5).
- **Claims 2, 5-6, 8-11, 15, 17-23, 25-26, 38, 40-41:** D2, page 4, line 17 - page 5, line 10; page 8, last paragraph; claims 8-10.
- **Claims 13-14, 24, 34-35, 43, 45:** D3, paragraphs [0020], [0024]; claims 1, 6, 7.
- **Claims 7, 27-29 :** The additional features of this claim are considered implementation-related design options that are obvious for the skilled person in the field of network design.